

1 On page 17, line 7, after "floor space", please insert ---member---.

On page 17, line 8, after "lower gusset", please delete "162b" and replace it with ---164'---.

5 On page 17, line 12, after "width to the", please delete "lower plate 196", and replace it with ---floor space member 200---.

On page 17, line 14, after "panel", please delete "100b", and replace it with ---100a---.

In the claims:

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Please cancel claims 7, 8 and 9. Please also cancel claims 15, 16, 17, 18, 19, 20 and 21.

Please amend the claims as follows:

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1. (Once amended) A pre-assembled apparatus for reducing the tendency of upper portions of walls to move with respect to [the] a foundation as a result of lateral forces applied in a direction parallel to the wall, said apparatus comprising:

20 two vertically extending posts having both an upper and a lower end and defining a front and a back side, wherein said two vertically extending posts are positioned in a pre-selected spaced relationship;

a horizontally extending upper member which is connected to said upper ends of said two vertically extending posts and wherein
25 said horizontally extending upper member is configured to be connected to an upper portion of said wall;

one or more brace members that interconnect said two vertically extending posts so as to maintain said vertically extending posts in said pre-selected spaced relationship when said apparatus is installed
30 in a wall that is under shear stress from said lateral forces; and

two attachment points which are respectively connected to said lower ends of said two vertically extending posts wherein said both of said two attachment points are configured to be attached to an anchor point that is anchored in said foundation of said building to thereby
35 anchor said vertically extending posts to said anchor points, and wherein said apparatus is pre-assembled to allow for installation in said

22

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1 wall by attaching said two attachment points to said anchor points
and connecting said upper member to said upper portion of said wall
so that said apparatus thereby reduces the tendency of said upper
portion to move relative said foundation.

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4. (Once amended) The apparatus of Claim 3, wherein said apparatus
[reduces] is adapted to reduce the tendency of an upper portion of said wall
to move relative said foundation [resisting the] with respect to an uplift
force, said uplift force on [of] said wall occurring as a result of [said] an
10 overturn movement caused by said wall being exposed to said lateral forces.

6. (Once amended) The apparatus of Claim 5, wherein said two vertical
posts are approximately 7'-8" in height and said apparatus is less than 3 feet
in width and [is reducing] said apparatus is adapted to reduce the tendency
15 of said upper portion of said wall to move when said upper horizontal
member of said apparatus is connected to said upper portion of said wall,
said upper portion of said wall being formed with an upper plate, and when
said lateral forces cause said upper plate to move, causing motion, said
apparatus reduces said [the] motion of [an] said upper plate of said wall that
20 is connected to said upper horizontal member to approximately 0.5" of
deflection or less from a rest position when subjected to 3,500 lb. of said
lateral forces applied on said upper plate in [a] said direction parallel to said
horizontal upper member in a pseudo-cyclic shear testing.

25 10. (Once amended) An apparatus for reducing the tendency of an upper
portions of a wall[s] in a building to move with respect to [the] a foundation
as a result of lateral forces applied in a direction parallel to the wall, said
apparatus in combination with said wall comprising:

30 said wall, said wall having an upper plate, a lower plate, and
studs connecting said upper plate to said lower plate, said studs
supporting said upper plate;

said apparatus inserted within and connected to said wall, said
apparatus comprising
35 two vertically extending posts having both an upper end and a
lower end and defining a front and back side, wherein said two

1 vertically extending posts are positioned in a preselected spaced relationship;

at least one panel member interconnecting said two vertically extending posts substantially along the entire length of said posts;
5 [and]

two holdown bolts that are anchored in said foundation of said building; and

two attachment points which are respectively connected to said lower ends of said two vertically extending posts wherein said both of
10 said two attachment points are [configured to be] respectively attached to [a] said two holdown bolts [bolt that is anchored in said foundation of said building to thereby anchor said vertically extending posts to said foundation,] and wherein said apparatus is [configured to allow for installation in] connected to said wall by [attaching] said two attachment points attached to said holdown bolts and [connecting] said upper [portion] end of said vertical posts attached to said upper [plate] portions of said wall so that said apparatus thereby reduces the tendency of said upper [plate] portions of said wall to move relative said foundation as a result of shear stress by transmitting said shear stress from said upper portions of said wall through said vertical members and said at least one panel member to said anchor points and said holdown bolts positioned in said foundation, and wherein said posts and said panel of said apparatus for reducing the tendency of said wall to move are separate members from said studs, said upper plate and said lower plate of said wall.
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11. (Once amended) The apparatus of Claim 10, further comprising:
an upper horizontal member that interconnects said upper portions of said two vertical posts, wherein connection between said
30 upper [portions] ends of said vertical posts is achieved by connecting said upper horizontal member to said upper [plate] ends of said vertical posts; and

a lower horizontal member that interconnects said lower [portions] ends of said two vertical posts, and wherein said upper horizontal and said lower horizontal members are separate members from said upper plate and said lower plate of said wall.
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- 1 ⁹ 12. (Once amended) The apparatus of Claim ⁸ 11, wherein said one or more [planar] panel members is comprised of two [planar] panel members attached to said front and said back side of said two vertical posts and to said upper and lower horizontal members.
- 5 ⁹ 10 13. (Once amended) The apparatus of Claim 12, wherein said two attachment points are comprised of two brackets that are [configured to be] connected to said holdown bolts in said foundation, wherein said two brackets [are configured to] receive said lower horizontal member and said 10 two vertical posts so that said lower horizontal member and said two posts can be fixedly attached to said brackets.

- 11 14. (Once amended) The apparatus of Claim ⁷ 10, further comprising shear bolts mounted in said foundation and wherein said lower horizontal member 15 is [configured to be] attached to said shear bolts mounted in said foundation to thereby reduce the likelihood of a lower portion of said [shear panel] apparatus becoming dislodged from said foundation in response to lateral forces applied to said wall.

20 Please add the following new claims:

- 12 -- ¹² 22. The apparatus of claim ¹⁰ 10, where said apparatus is dimensioned so that a gap exists between said apparatus and said upper plate of said wall. --
- 25 -- ¹³ 23. The apparatus of claim ⁷ 10, wherein said panel of the apparatus is not directly connected to any of the studs, the upper plate or the lower plate of said wall. --
- 30 -- ¹⁴ 24. The apparatus of claim ⁷ 10, wherein said apparatus connects to said upper plate of said wall. --
- ¹⁵ 25. The apparatus of claim ⁸ 11, wherein said panel does not extend beyond said upper horizontal member of said apparatus. --

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1 -- ¹⁶26. A method of building a wall so that the tendency of an upper portion of a wall having an upper plate to move relative a lower portion of said wall is reduced, said method comprising the steps of:

5 providing a foundation for said wall, wherein one or more holdown bolts are each installed in said foundation at a pre-selected location in said foundation;

mounting two or more studs so as to extend substantially vertically upward from said foundation;

10 positioning an upper plate on a top surface of said two or more studs;

attaching a lower portion of a shear reduction panel to said holdown bolts so that said panel is positioned between said two studs, said shear reduction panel being pre-assembled to have two vertical posts, an upper horizontal member and a lower horizontal member
15 connecting said two vertical posts, and at least one panel interconnecting said two vertical posts substantially along the vertical lengths of said posts; and

attaching an upper portion of said shear reduction panel to said upper plate of said wall so that movement of said upper plate of said
20 wall in response to lateral forces applied to said wall is reduced as a result of the lateral forces being transmitted through the vertical posts and the interconnecting panel to the holdown bolts mounted in the foundation.

25 -- ¹⁷27. The method of claim ¹⁶26, wherein said panel does not extend beyond said upper horizontal member of said apparatus. --

-- ¹⁸28. The method of claim ¹⁶26, wherein said pre-assembled shear reduction panel is dimensioned so that a gap exists between said shear reduction panel
30 and said upper plate of said wall. --

-- ¹⁹29. A method of building a wall so that the tendency of an upper portion of a wall having an upper plate to move relative a lower portion of said wall is reduced, said method comprising the steps of:

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1 providing a foundation for said wall, wherein one or more
holdown bolts are each installed in said foundation at a pre-selected
location in said foundation;
mounting two or more studs so as to extend substantially
5 vertically upward from said foundation;
positioning an upper plate on a top surface of said two or more
studs;
attaching a lower portion of a shear reduction panel to said
holdown bolts so that said panel is positioned between said two studs,
10 said shear reduction panel being pre-assembled to have an upper
horizontal member and a lower horizontal member, and at least one
panel interconnecting said upper horizontal member and said lower
horizontal member; and
attaching an upper portion of said shear reduction panel to said
15 upper plate of said wall so that movement of said upper plate of said
wall in response to lateral forces applied to said wall is reduced as a
result of the lateral forces being transmitted through the vertical posts
and the interconnecting panel to the holdown bolts mounted in the
foundation. --

20 -- ²⁰30. The method of claim ¹⁹29, wherein said panel has lips that extend
substantially perpendicular to the panel and then substantially parallel to the
panel. --

25 -- ²¹31. The method of claim ²⁰30, wherein said upper and lower horizontal
members are U-shaped. --

30 -- ²²32. The method of claim ²¹31, wherein said shear reduction panel further
comprises thick plates connected to said shear reduction panel where said
shear reduction panel connects to said holdown bolts. --

35 -- ²³33. An apparatus for reducing the tendency of an upper portion of a wall
in a building to move with respect to a foundation as a result of lateral forces
applied in a direction parallel to the wall, said apparatus in combination with
said wall comprising:

1 said wall, said wall having an upper plate, a lower plate, and
studs connecting said upper plate to said lower plate, said studs
supporting said upper plate;

5 said apparatus inserted within and connected to said wall, said
 apparatus comprising

upper and lower horizontal members, wherein said upper and lower horizontal members are positioned in a pre-selected spaced relationship;

at least one panel member interconnecting said upper and lower
10 horizontal members; and

two holdown bolts that are anchored in a foundation of said wall, wherein said apparatus is attached to said two holdown bolts and wherein said apparatus is connected to said wall by said upper horizontal member attached to said upper portions of said wall so that said apparatus thereby reduces the tendency of said upper portion of said wall to move relative said foundation as a result of shear stress by transmitting said shear stress from said upper portion of said wall through said at least one panel member to said holdown bolts positioned in said foundation, and wherein said upper and said lower horizontal members and said panel of said apparatus for reducing the tendency of said wall to move are separate members from said studs, said upper plate and said lower plate of said wall. --

-- ²⁴~~34~~. The method of claim ²³~~33~~, wherein said panel has lips that extend substantially perpendicular to the panel and then substantially parallel to the panel. --

-- ²⁵35. The method of claim ²⁴34, wherein said upper and lower horizontal members are U-shaped. --

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-- 36. The method of claim 35, wherein said apparatus further comprises thick plates connected to said shear reduction panel where said shear reduction panel connects to said holdown bolts. --